REMARKS

Claims 2-5, 9, 10, 12, 14-18, 25, 27, 34-37, 39, 40, 42 and 45-47 are pending in the application.

Claim Amendments

Amendments to claims 2, 9, 10 and 37 serve to define the aryl, heterocyclic and hetaryl structures with greater particularity. Support for these amendments is found in the structures of the exemplified compounds. The examples in the specification which do not prepare compounds within the elected group are relevant in enabling the compounds claimed. The methods which do not form the compounds claimed simply employ distinct starting materials. The tables and examples within the specification report many common synthetic steps are used to prepare different compounds. For example, compound 112 of this invention is reported to be prepared by the techniques described in paragraph "C2c," yet the reaction product illustrated in paragraph "C2c" is not a compound claimed herein. On skilled in the art would recognize the starting materials can simply be switched to obtain these compounds.

The amendment to claim 36 specifies the treatment of colorectal cancer. Support for this amendment is found in the examples where cellular assays using colorectal cancer cells are described. The biological assays and IC_{50} values reported in the specification provide sufficient disclosure to enable these methods even without giving any consideration to the remaining disclosure within the specification or the state of the art at the time of the invention.

Applicants maintain the above amendments address the language identified by the examiner as objectionable such that the rejection is now moot and that these claims define subject matter enabled by the specification.

The compounds of formula I are claimed in independent claim 1. Support for the compounds of claim 1 can be found, for example, in the broad generic disclosure that appears on pages 3-9 and the specific disclosure that appears in the 112 examples of the application. Dependent claims 34-37 define specific compounds within the scope of formula I of claim 1. Support for these claims is found on in Examples 104-112. The examiner has not presented any evidence to cast doubt on the teachings provided in the specification with regard to enabling the full scope of the claims.

The specification provides more than it needs to in satisfying the requirements of 35 USC §112, e.g., in *vitro* raf kinase assays (and IC_{50} data) and in *vivo* assays for

testing the activity of the claimed compounds. By performing the same or similar routine tests, one of ordinary skill in the art can determine the activity levels of each of the claimed compounds in treating various cancers. No evidence has been presented that the disclosure fails to meet the enablement requirement under 35 USC §112, first paragraph, and so the rejection should be withdrawn.

While moieties on the claimed compounds have been broadly defined, no evidence has been presented that the definition of these moieties encompasses inoperative compounds. In fact, the compounds illustrated in the examples show that raf kinase inhibition is retained with significant variation in two of the broadly defined moieties, R_a and R_b. For those compounds not illustrated in the examples, it would be routine for one skilled in the art to test the compound using one of the assays disclosed in the specification. The enablement requirement is satisfied if, given what those of ordinary skill in the art already know, the specification teaches those in the art enough that they can make and use the claimed invention without undue experimentation. See *Amgen v Hoechst Marion Roussel*, 314 F.2d 1313, 65 USPQ2d 1385 (Fed. Cir. 2003).

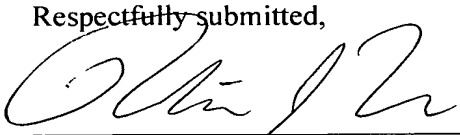
The syntheses of the non-elected compounds has not been shown to be distinct from those of the elected compounds or any other ureas known in the art. Furthermore, the art of synthesizing ureas is well developed. The state of the art is such that the general and specific guidance provided in the specification are sufficient for one skilled in the art for synthesizing the full scope of the compounds claimed without undue experimentation. *Amgen v Hoechst Marion Roussel*, 314 F.2d 1313, 65 USPQ2d 1385 (Fed. Cir. 2003). Where some experimentation is needed and it is routine, the statute is satisfied.

Applicants also maintain the evidence presented to support the rejection is insufficient. Unlike the facts in the cases cited by the Examiner (Cavillito and Grey 134 USPQ 370, Schering Corp v Gilbert 68 USPQ 84(2d Cir 1946), Ex parte Diamond 123 USPQ 167 (BPAI 1959), Nationwide Chemical Corp v Wright 192 USPQ 95 1976) In re Fouche 169 USPQ 429), applicants have defined the compounds claimed clearly without broad ambiguous terms and the compounds and methods claimed are adequately represented by the examples and are enabled by the generic and specific disclosure.

Since there is no evidence this disclosure is lacking in any way, applicants submit that all pending claims meet the requirements of 35 U.S.C. § 112, first paragraph and that the rejection should be withdrawn.

The Commissioner is hereby authorized to charge any fees associated with this response or credit any overpayment to Deposit Account No. 13-3402.

Respectfully submitted,



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